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8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

2:16-cr-00046-GMN-PAL

10 UNITED STATES OF AMERICA,

CASE NO.: ~~2:16-cr-00146-GMN-PAL~~

11 Plaintiff,

**AMMON BUNDY, RYAN BUNDY, AND
RYAN PAYNE'S PROPOSED ORDER
REGARDING CUSTODIAL SEARCHES**

12 vs.

13 AMMON BUNDY, *et al.*,

14 Defendants.
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16 Ammon Bundy, Ryan Bundy, and Ryan Payne's proposed order regarding custodial searches
17 is attached as **Exhibit A**. This order is being proposed in accordance with the Court's oral ruling at

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1 the status conference conducted in this case on October 6, 2017.

2 DATED this 17th day of October 2017.

3 HILL FIRM PLLC

4 BY: /s/ Daniel Hill

5 _____
6 DANIEL HILL
7 Counsel for Ammon Bundy

8 FEDERAL PUBLIC DEFENDER

9 BY: /s/ Brenda Weksler
/s/ Ryan Norwood

10 _____
11 BREND A WEKSLER
12 RYAN NORWOOD
13 Counsel for Ryan Payne

14 THE FLETCHER FIRM PC

15 BY: /s/ Maysoun Fletcher

16 _____
17 MAYSOUN FLETCHER
18 Counsel for Ryan Bundy

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of October 2017, a true and correct copy of **AMMON BUNDY, RYAN BUNDY, AND RYAN PAYNE'S PROPOSED ORDER REGARDING CUSTODIAL SEARCHES** was served via the United States District Court CM/ECF system on all parties or persons requiring notice.

By /s/ Daniel Hill
Daniel Hill of HILL FIRM

EXHIBIT A
(proposed order)

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(proposed order)

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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

2:16-cr-00046-GMN-PAL

8 UNITED STATES OF AMERICA,

CASE NO.: ~~2:16-cr-00146-GMN-PAL~~

9 Plaintiff,

10 vs.

ORDER

11 AMMON BUNDY, *et al.*,

12 Defendants.

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14 This matter comes before the Court on Defendant Ammon Bundy's motion regarding pre-
15 trial-detention conditions, and custodial searches, made orally at the October 6, 2017 status
16 conference conducted in this case. Defendant Ryan Payne orally joined in the motion.

17 Defendants Ammon Bundy, Ryan Payne and Ryan Bundy are currently being detained at the
18 Nevada Southern Detention Center in Pahrump, Nevada. According to representations shared in open
19 court by Mr. Ammon Bundy, who was present telephonically, and the acting assistant warden at the
20 Nevada Southern Detention Center (the "Detention Center"), who was also present telephonically,
21 Ammon Bundy is strip searched every time he leaves the Detention Center, whether or not a contact
22 or public visit has occurred. Ammon Bundy is also strip searched every time he returns to the
23 Detention Center. Also, according to Ammon Bundy, he is strip searched prior to leaving solitary
24 confinement whether or not a contact or public visit has occurred. The assistant warden of the
25 Detention Center indicated that all of the persons being held at the Detention Center were treated in
26 the same fashion and that these strip searches were "absolutely" necessary to ensure that no
27 contraband, i.e. anything not allowed in the facility, in fact enters into the Detention Center.

28 At the hearing, the U.S. Marshal's Office indicated that conditions at the Henderson

1 Detention Center were not as stringent.

2 Therefore, to facilitate the efficiency of the upcoming trial and ensure the presence of all
3 defendants at trial, and for all the reasons stated on the record at the October 6, 2017 status
4 conference,

5 **IT IS HEREBY ORDERED** that the following conditions regarding the pre-trial detention
6 and custodial searches of Ammon Bundy, Ryan Bundy, and Ryan Payne shall apply:

- 7 1. There shall be no routine strip searches or cavity searches of Ammon Bundy, Ryan
8 Bundy, and Ryan Payne. Instead Defendants shall be required to remove their
9 clothing down to, but not including, their undergarments. The Court will not
10 prohibit strip searches to the extent that there is a safety concern, only routine strip
11 searches.
- 12 2. Routine searches may instead be conducted by pat-down, handheld magnetometer,
13 or other technology as available.
- 14 3. Ammon Bundy, Ryan Bundy, and Ryan Payne shall be trasnfered to the Henderson
15 Detention Center at a time shortly before trial, currently set for October 30, 2017.

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18 DATED this 25 day of October 2017.

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23 GLORIA M. NAVARRO, CHIEF JUDGE
24 UNITED STATES DISTRICT JUDGE
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